

**City of Salem Massachusetts
Public Meeting Minutes**

Board or Committee:	Design Review Board, Regular Meeting
Date and Time:	Wednesday October 28, 2015 at 6:00pm
Meeting Location:	Third Floor Conference Room, 120 Washington Street
Members Present:	Paul Durand, Helen Sides, Ernest DeMaio, David Jaquith, J. Michael Sullivan, and Glenn Kennedy
Members Absent:	Christopher Dynia
Others Present:	Andrew Shapiro, Economic Development Planner
Recorder:	Andrew Shapiro

Paul Durand calls the meeting to order.

Urban Renewal Area Projects Under Review

1. 140 Washington Street (Aurora): Discussion and vote on proposed a-frame sign

The submission under review before the DRB included photos, a sign permit application, proof of liability insurance, and a plan for placement of the sign. Trang Tran was present on behalf of Aurora.

Shapiro noted that the applicant had been before the Board in the past month and received approval for building signage. They are seeking a place a cherry wood framed portable sign outside of their storefront. The backing of the sign will be a black colored dry erase board. The proposal complies with the City's sign ordinance.

Kennedy commented that he would like to see the name of the restaurant on the sign, preferably toward the top and in the logo typeface for the restaurant, but otherwise, no comments.

Kennedy: Motion to recommend approval as submitted.
Seconded by: Sides, Passes 6-0.

2. 148 Washington Street (The Merchant): Discussion and vote on proposed installation of signage

The submission under review before the DRB included a design and photo. Todd Waller was present on behalf of The Merchant.

Shapiro noted that the proposed sign will be installed on an existing sign post in front of the building. The post is about 10 feet tall. The proposed signage is in compliance with the City's sign ordinance.

Sullivan asked whether additional signs would be proposed in the future.

Waller noted that no additional signs are planned for the building.

Sides asked whether “a Salem MA hotel” was part of the logo’s design.

Waller noted that it is part of the logo.

Kennedy noted that he feels that the design clearly was worked on by someone who spent a lot of time on it, but that he is unsure if it fits in the particular space it’s intended for. It feels like it needs a little bit of tweaking, but it may also just be that the color is not coming through correctly on the print out. That being said, it’s a good sign overall.

Durand asked whether there were any plans for lighting the sign.

Waller noted that there are no plans for lighting the sign.

Durand remarked that ground lighting might work well.

Jaquith: Motion to recommend approval as presented.

Seconded by: Sides, Passes 6-0.

3. 318 Derby Street (Salem Hotbox): Discussion and vote on proposed installation of signage

The submission under review before the DRB included designs, photos, and a sign permit application. The applicant was not present.

The Board members generally agreed that there were too many issues to discuss with respect to the proposed designs and therefore would feel more comfortable continuing the proposal.

Durand asked what type of business this is.

Shapiro noted that the business primarily sells e-cigarettes and tobacco products.

Kennedy offered his time to work with the applicant prior to the next meeting in order to refine the design.

Sides: Motion to continue.

Seconded by: Sides, Passes 6-0.

4. 99 Washington Street (Salem Renewal LLC): Discussion and vote on proposed storefront façade improvements (small project review)

The submission under review before the DRB includes a proposal, drawings, elevations, and photos. David Pabich was present on behalf of Salem Renewal LLC.

Pabich explained that the current storefront has a shared entrance via a lobby. The proposal would be to leave that entrance intact, but to remove a storefront window and replace it with an entrance from Washington Street dedicated to this storefront. The door, paneling, and all details would be the same as the other door on the same block.

Pabich further explained that he thinks it will improve the space's appeal and function.

Durand noted that he felt this was a good approach and solution to the issue.

DeMaio expressed a preference to move the plane of the storefront as close to the inside of the existing column as possible, so as to minimize overhang of the door into the sidewalk as possible.

Pabich agreed and noted that he would make that adjustment.

Durand noted that perhaps the direction of the door swing should be reversed so as to better serve a right-handed individual.

Pabich agreed.

Sides: Motion to recommend approval of project as submitted with suggested conditions of moving the door closer in line with the interior column and reversing the door swing. Seconded by: Jaquith, Passes 6-0.

Minutes: Approval of the minutes from the September 23, 2015 regular meeting.

Durand asked whether there were any comments about the minutes.

DeMaio expressed that he had a comment, not so much about the minutes as they were recorded, but about the discussion that took place during the presentation of the Hotel Salem project. During that discussion, DeMaio noted, some issues not related to the project itself were broached and that the minutes captured these comments. He continued by explaining that he feels it is important that members of the Board only comment on issues directly related to the project(s) being presented.

DeMaio cited comments made by DRB Member Helen Sides about whether to open the pedestrian mall to vehicular traffic. The comments were recorded in the September 23, 2015 meeting and note that Sides said that the project would be "a good business advocate for vehicular access to the pedestrian mall." DeMaio said that he does not feel that it was an appropriate discussion for review of the hotel. Vehicular access was not being proposed by the applicant as part of that review. When issues like that are presented in the minutes, they can be misconstrued as positions of the Board.

Kennedy noted that he feels it was an important discussion, and that it was valid for inclusion in the minutes, but he agreed with DeMaio's point that it should not be expressed as an opinion of the Board.

DeMaio said that asking the question of how the hotel will be accessed is valid. But DeMaio objected to a member of the DRB attempting to advance a position on a topic (opening up Essex Street to car traffic) that was outside the scope of the project under review, a topic that is the subject of substantial debate within the City, and a topic that was not raised by the applicant.

Sullivan noted that he felt that individual Board member comments should be recorded as long as they are attributed to the Board member and not the entire board. Not doing so could limit the ability of Board members to express themselves on any number of issues.

Sides noted that she feels the comments should remain in the minutes. The comments in question are attributed to her and they were said. She noted also that this is the nature of public meetings. Extraneous comments related or unrelated to a number of issues always come up.

DeMaio emphasized that the minutes seem to have recorded the conversation correctly, but that they portray the Board as endorsing the notion of opening the pedestrian mall to vehicular access. Those comments were not challenged in the meeting, but it would have been inappropriate to do so because that issue was not being presented to the Board that evening.

Sides again noted that conversations such as these, that are not completely related to the subject at hand, happen at public meetings all the time, and that the comments of one Board member should not be interpreted to represent the entire Board's view, because no vote on the issue was taken.

Durand noted that the minutes do not need to be a reflection of all conversations during a particular meeting. It is important to capture information regarding projects that are being presented, as well as what is being voted upon.

Shapiro explained that he tends to err on the side of providing more as opposed to less contextual information in DRB minutes, because recommendations of the DRB are going to the SRA. It is helpful to provide details and context about the position of the Board on projects to the SRA when they are considering a recommendation from the DRB.

DeMaio again noted that despite the opinion on the issue that was raised, there may have been dissenting or different opinions that were not raised. He noted that he did not raise an issue about what was being discussed because he did not feel it was appropriate to do so, given that it was not what was being presented to the Board. Now that I see that these comments were memorialized in the minutes, I regret that I did not bring the issue up at

the time. My recommendation to the Board would be to only discuss the issue(s) at hand at future meetings.

Kennedy noted that he feels it is a difficult issue. For example, with respect to considering an a-frame sign at the Museum Place Mall, the Board also had to consider what it might mean for placement of future signage. We have to consider how a given project might affect other separate issues.

Shapiro pointed out that the Board had endorsed the notion of incorporating 1.5 parking spaces per unit for the Riverview Place project, and that a letter of recommendation to adopt those parking standards from the Chair was sent to the ZBA when the applicant sought relief for parking. Parking ratio itself is not necessary under the purview of the DRB, and that too is a controversial issue.

DeMaio expressed that the parking issue was brought up by the applicant; therefore it was appropriate to discuss it. No one brought up the issue of vehicular access on Essex Street.

Sides said that she was opposed to having the comments in question stricken from the minutes because the comments are appropriately attributed to her, and there is no indication that the Board unanimously endorsed the comments by vote or procedure.

DeMaio said that he feels it is not appropriate for Board members to steer the conversation to a topic or issue that is not being presented to the Board by the applicant.

Durand noted that he as Chairman would make an effort at meetings in the future, to reign in conversations that might not be relevant to projects being presented.

Jaquith: Motion to approve the minutes from the September 23, 2015 regular meeting as presented.

Seconded by: Sides, Passes 4-0 (DeMaio and Durand abstain).

Adjournment

Jaquith: Motion to adjourn, seconded by Kennedy. Passes 6-0.
Meeting is adjourned at 6:56 pm.